

ORIGINAL**IN THE SUPREME COURT OF THE STATE OF MONTANA****DA 09-0431**

STATE OF MONTANA,

Respondent and Appellee,

v.

JERRY PAUL GONZALES,

Defendant and Appellant,

FAX - FILED

NOV 24 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**FILED**

NOV 25 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF

On Appeal from the Montana Thirteenth Judicial District Court
Yellowstone County, Gregory R. Todd

APPEARANCES:

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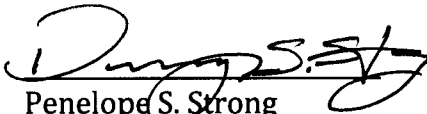
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COMES NOW, Jerry Paul Gonzales, by and through his attorney, Penelope S. Strong, and respectfully moves the Court for an Extension of Time to file the Opening Brief for Appellant, pursuant to Rule 26 (1), Montana Rules of Appellate Procedure. The brief is due November 28, 2009 and a thirty day extension is requested until December 28, 2009.

Opposing counsel has been contacted and does not object. No previous extensions of time have been requested for the filing of the opening brief.

DATED this 23 day of November, 2009.


Penelope S. Strong
Penelope Strong Law Firm
Attorney for Appellant

CERTIFICATE OF SERVICE

I, hereby certify that I have filed a true and accurate copy of the foregoing Notice of Appeal with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of District Court, each attorney of record, and each party not represented by attorney in the above-referenced District Court action as follows:

Scott Twito
Deputy Yellowstone County Attorney
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Mark Mattioli
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A handwritten signature in cursive script, appearing to read "Robbin Iverson", written over a horizontal line.

Robbin Iverson